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Attorneys for Plaintiffs,  
ARISTA RECORDS LLC; UMG RECORDINGS,  
INC.; ATLANTIC RECORDING  
CORPORATION; and CAPITOL RECORDS, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

ARISTA RECORDS LLC, a Delaware limited  
liability company; UMG RECORDINGS, INC.,  
a Delaware corporation; ATLANTIC  
RECORDING CORPORATION, a Delaware  
corporation; and CAPITOL RECORDS, INC., a  
Delaware corporation,  
Plaintiffs,

v.

JOHN DOE,  
Defendant.

CASE NO. C 07-04118 SBA

**The Honorable Sandra B. Armstrong**

***EX PARTE APPLICATION TO CONTINUE  
CASE MANAGEMENT CONFERENCE  
AND EXTEND TIME TO SERVE  
DEFENDANT AND [PROPOSED] ORDER***

1 Because Defendant John Doe ("Defendant") has not yet been identified, Plaintiffs  
2 respectfully request that the Court continue the case management conference currently set for  
3 November 15, 2007, at 3:00 p.m. to February 14, 2008. Plaintiffs further request, pursuant to the  
4 Federal Rules of Civil Procedure, Rules 4(m) and 6(b)(1), that Plaintiffs' time to serve the Summons  
5 and Complaint on Defendant be extended from December 7, 2007 to March 6, 2008.

6 Plaintiffs filed the Complaint against Defendant on August 9, 2007. Also on August 9, 2007,  
7 Plaintiffs filed their *Ex Parte* Application for Leave to Take Immediate Discovery, seeking the  
8 Court's permission to serve a Rule 45 subpoena on University of California, Santa Cruz ("UC Santa  
9 Cruz") so that Plaintiffs could obtain information sufficient to identify Defendant. On August 22,  
10 2007, this Court issued its Order Granting Plaintiffs' *Ex Parte* Application for Leave to Take  
11 Immediate Discovery. Pursuant to the Court's Order, Plaintiffs have served UC Santa Cruz with a  
12 Rule 45 subpoena directing UC Santa Cruz to produce certain information necessary to identify  
13 Defendant. Plaintiffs expect UC Santa Cruz to respond to the subpoena on November 28, 2007.

14 Because Plaintiffs cannot identify Defendant until UC Santa Cruz has responded to  
15 Plaintiffs' subpoena, there is not yet a known defendant with whom to confer, and a case  
16 management conference is unnecessary at this time. Plaintiffs therefore respectfully request that the  
17 Court continue the case management conference currently set for November 15, 2007, at 3:00 p.m.  
18 to February 14, 2008. Because the original time period for Plaintiffs to serve the Summons and  
19 Complaint on Defendant will expire on December 7, 2007 (only nine days after Plaintiffs expect to  
20 receive the subpoena response enabling them to identify Defendant), Plaintiffs further request that  
21 the time to serve the Summons and Complaint on Defendant be extended to March 6, 2008.

22 Dated: November 7, 2007

HOLME ROBERTS & OWEN LLP

23 By: /s/ Matthew Franklin Jaksa  
24 MATTHEW FRANKLIN JAKSA  
25 Attorney for Plaintiffs  
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**ORDER**

Good cause having been shown:

**IT IS ORDERED** that the case management conference currently set for November 15, 2007, at 3:00 p.m. be continued to February 14, 2008.

**IT IS FURTHER ORDERED** that, pursuant to the Federal Rules of Civil Procedure, Rules 4(m) and 6(b)(1), Plaintiffs' time to serve the Summons and Complaint on Defendant shall be extended to March 6, 2008.

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Honorable Sandra B. Armstrong  
United States District Judge